

2001 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-SB55)

Received: **06/21/2001**

Received By: **isagerro**

Wanted: **As time permits**

Identical to LRB:

For: **Assembly Republican Caucus**

By/Representing: **Hughes**

This file may be shown to any legislator: **NO**

Drafter: **isagerro**

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Addl. Drafters:

Subject: **Public Assistance - med. assist.**

Extra Copies:

DAK

Submit via email: **NO**

Requester's email:

Pre Topic:

ARC:.....Hughes - AM22,

Topic:

BadgerCare waivers

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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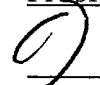
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<END>

(b) *Family Medicine and practice.* The amounts in the schedule for the development and operation of programs to support the recruitment and training of medical students and residents in Family and Community Medicine.

18. DHFS Provision Requests:

Include the following provisions at the request of DHFS:

- a) Court-Ordered Placements (Jeskewitz Request # 261)
 - Require that all out of home care placement orders include the language necessary under the new federal regulations to receive IV-E reimbursement. The language would require courts to specifically state that they have given due consideration to county or state recommendations when placing a child in a foster home or other setting.
- b) Permanency Plans for Court-Ordered Placements with a Relative (Jeskewitz Request #261, Ladwig Request #23)
 - Require that an agency responsible for a child who, under the order of a juvenile court, is living in the home of a relative to prepare a permanency plan for the child. Also require the agency, upon request of a guardian or grandparent in whose home a child is placed under a juvenile court order to issue a foster care license to the grandparent or guardian. The requirement would first apply to children and juveniles who are placed in the home of a relative under a court's order on the bill's general effective date.
- c) Sexually Violent Persons Patient Rights- Sand Ridge Treatment Center Operational Plan (Information attached)

19. Governor's BadgerCare Revision Language:

Require DHFS to request a waiver from the DHHS to: (a) permit DHFS to verify whether a family or a child has access or has had access to employer-subsidized health care prior to enrolling the family or child in BadgerCare; and (b) increase the time period a family or a child is required to be without coverage to employer-subsidized health care before the family or child would be eligible for BadgerCare.

Specify that the waiver would propose to increase the time period that a family must not have had coverage under employer-subsidized health care from three months to six months, with the following exceptions:

- If the family or child, lost employer-subsidized health care coverage through no fault of the family or child as determined by DHFS, the waiting period would be 45 days.
- If the family or child, lost employer-subsidized health care coverage, but no longer has access because they have exhausted their COBRA coverage, the waiting period would at least be three months.
- If the family or child had employer-subsidized health care but no longer has access because employment was terminated, the waiting period would at least be three months.

Currently, families or children meeting the above requirements would have no waiting period.

20. Intergovernmental Transfers – MA Trust Account

(Leibham Request # 91)



State of Wisconsin
2001 - 2002 LEGISLATURE

LRBb1379/1
ISR: hmh

ARC:.....Hughes - AM22, BadgerCare waivers

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS ASSEMBLY AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 2001 SENATE BILL 55

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 1338, line 20: after that line insert:

3 → Insert 1-3 (END)

→ Insert 1-3A

1

~~SECTION 9123. Nonstatutory provisions; health and family services.~~

2

cc ~~179~~

~~(1)~~ BADGER CARE HEALTH CARE PROGRAM WAIVER; INSURANCE VERIFICATION. Not later than January 1, 2002, the department of health and family services shall request a waiver from the federal secretary of health and human services to permit the department to verify whether a family, or child who does not reside with a parent, has access or has had access to employer-subsidized health care within the time period established under section 49.665 (4) (a) 3. of the statutes, prior to enrolling the family or child in the badger care health care program under section 49.665 of the statutes.

10

(END)

Insult 3A

access to employer-subsidized health care because the family or child has exhausted health care continuation coverage available under the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) or because the employer has terminated employment, the period of time a family or child must be without health care coverage to be eligible for BadgerCare be at least three months.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

~~SECTION 9123. Nonstatutory provisions, health and family services.~~

17h

(A) BADGER CARE HEALTH CARE PROGRAM WAIVER; ELIGIBILITY. Not later than

January 1, 2002, the department of health and family services shall request a waiver

from the federal secretary of health and human services to increase the period of time

that a family, or a child who does not reside with a parent, is required to be without

~~access to~~ employer-subsidized health care coverage before the family or child is

eligible for the badger care health care program under section 49.665 of the statutes.

The waiver shall request that the period of time be increased to all of the following:

(a) Except as provided in paragraphs (b), (c), and (d), 6 months.

(b) If the family or child had ~~access to~~ employer-subsidized health care coverage during the 6 months immediately preceding the date on which the family

or child applies for the badger care health care program, but the family or child no longer has ~~access to~~ the health care ^{coverage} because the coverage was terminated, and the

termination was not the fault of the family or child, as determined by the department of health and family services, 45 days.

(c) If the family or child had ~~access to~~ employer-subsidized health care coverage during the 6 months immediately preceding the date on which the family

or child applies for the badger care health care program, but the family or child no

as affected by this act

1 longer has ~~access to~~ the health care ^{coverage} because the family or child has exhausted the
 2 health care coverage available under 42 USC 300bb-1 to 300bb-8 as provided in 29
 3 CFR 2590.701-2 (4), at least 3 months.

4 (d) If the family or child had ~~access to~~ employer-subsidized health care
 5 coverage during the 6 months immediately preceding the date on which the family
 6 or child applies for the badger care health care program, but the family or child no

7 longer has ~~access to~~ ^{that} health care ^{coverage} because of the termination of employment, at least
 8 3 months.))

(END)

ARC:.....Hughes – AM22, BadgerCare waivers

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TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 2001 SENATE BILL 55

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 1338, line 20: after that line insert:

3 “(17g) BADGER CARE HEALTH CARE PROGRAM WAIVER; INSURANCE VERIFICATION. Not
4 later than January 1, 2002, the department of health and family services shall
5 request a waiver from the federal secretary of health and human services to permit
6 the department to verify whether a family, or child who does not reside with a parent,
7 has access or has had access to employer-subsidized health care within the time
8 period established under section 49.665 (4) (a) 3. of the statutes, prior to enrolling
9 the family or child in the badger care health care program under section 49.665 of
10 the statutes.

1 (17h) BADGER CARE HEALTH CARE PROGRAM WAIVER; ELIGIBILITY. Not later than
2 January 1, 2002, the department of health and family services shall request a waiver
3 from the federal secretary of health and human services to increase the period of time
4 that a family, or a child who does not reside with a parent, is required to be without
5 employer–subsidized health care coverage before the family or child is eligible for the
6 badger care health care program under section 49.665 of the statutes, as affected by
7 this act. The waiver shall request that the period of time be increased to all of the
8 following:

9 (a) Except as provided in paragraphs (b), (c), and (d), 6 months.

10 (b) If the family or child had employer–subsidized health care coverage during
11 the 6 months immediately preceding the date on which the family or child applies
12 for the badger care health care program, but the family or child no longer has the
13 health care coverage because the coverage was terminated, and the termination was
14 not the fault of the family or child, as determined by the department of health and
15 family services, 45 days.

16 (c) If the family or child had employer–subsidized health care coverage during
17 the 6 months immediately preceding the date on which the family or child applies
18 for the badger care health care program, but the family or child no longer has the
19 health care coverage because the family or child has exhausted the health care
20 coverage available under 42 USC 300bb–1 to 300bb–8 as provided in 29 CFR
21 2590.701–2 (4), at least 3 months.

22 (d) If the family or child had employer–subsidized health care coverage during
23 the 6 months immediately preceding the date on which the family or child applies

1 for the badger care health care program, but the family or child no longer has that
2 health care coverage because of the termination of employment, at least 3 months.”.

3

(END)